

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 03/12/2015.

The meeting was held in the Grantsville City Council Chambers at 429 E. Main Street in Grantsville, Utah. Those present were Commission Chairman Colleen Brunson, Commission Members Robbie Palmer, Gary Pinkham, and Erik Stromberg, Council Liaison Member Neil Critchlow, Attorney Joel K. Linares, Mayor Brent K. Marshall, and Zoning Administrator Jennifer Huffman. Absent was Commission Member Drew Allen. Also present was Paula Aagard, Gary Aagard, Greg Haem, Ed Burrola, Steve Howe, Barry Bunderson, Doug Cannon, and Kent Liddiard from the Grantsville City Fire Department.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

7:00 P.M. PUBLIC HEARINGS:

- a. **Proposed General Plan amendment for David Christensen at approximately 630 N. Burmester Road for 11.76 acres to go from a “Rural Residential – 2” designation to 2.5 acres to go to a “Rural Residential -1” designation and the remaining 9.26 acres to go to an “Industrial” designation:** The public hearing was opened by Chairman Brunson at 7:00 p.m. and she called for comments. With no comments being offered, Chairman Brunson closed the public hearing at 7:01 p.m.
- b. **Proposed amendment of Chapters 14, 15, and 16 of the Land Use Management and Development Code by adding a Correctional Facility, Detention Center, Jail, Penitentiary, Prison, and Penal Institution to the Use Tables in each Chapter and determining its allowed use per zone:** The public hearing was opened by Chairman Brunson at 7:01 p.m. and she called for comments.

Ed Burrola: I live in the Little Reno area. Has it been established where this is going to be located? I have heard that it is going to be behind my back door? Is anything final so far?

Mayor Marshall stated some of the property around his subdivision is in the footprint that has been exposed as to where it could be but nothing is final. There was a 4200 acre footprint from the landowner, he told them that they could make a footprint out of the property he had.

With no further comments being offered, Chairman Brunson closed the hearing at 7:02 p.m.

**THE MEETING WAS OFFICIALLY CALLED TO ORDER BY CHAIRMAN,
COLLEEN BRUNSON, AT 7:02 P.M.**

- 1. Consideration of a final plat approval for Anderson Ranch Subdivision Phase 6A & 6B which contains thirty nine (39) lots for TP Development, Inc. and Doug Cannon.** Doug Cannon represented this item for himself and TP Development, Inc. and he stated to the Commission:

They feel that they have met all the requirements for the plat approval and would ask for the Commission's approval of the final plat.

Gary Pinkham asked Doug Cannon if he had seen the memo from Craig Neeley.

Doug Cannon stated that they have seen the comments and would like to propose that the Commission approve subject to the comments from Craig Neeley being added to the plat. They have already got the engineer working on those items and addressing those issues.

Robbie Palmer stated they had received an email from Drew Allen, whom is not present tonight, with the concern of one road being called "Old Ranch Road" as we already have Ranch Road in two unconnected sections and also an East Ranch Road. He is a commercial driver and sometimes the names do get confusing with a lot of the subdivisions so he can definitely see where Drew is coming from.

Kent Liddiard stated that it would be less confusing if it was changed.

Doug Cannon stated that he was not aware of the East Ranch Road elsewhere and if the name is an issue they can make that change.

Gary Pinkham moved to approve the final plat for Anderson Ranch Subdivision Phase 6A & 6B which contains thirty nine (39) lots for TP Development, Inc. and Doug Cannon contingent upon the corrections listed in the Aqua Memo being corrected and "Old Ranch Road" being renamed. Erik Stromberg seconded the motion. The voting was unanimous in the affirmative and the motion carried.

- 2. Consideration of a General Plan amendment for David Christensen at approximately 630 North Burmester Road for 11.76 acres to go from a "Rural Residential -2" designation to 2.5 acres to go to a "Rural Residential - 1" designation and the remaining 9.26 acres to go to an "Industrial" designation.** Barry Bunderson represented this item for David Christensen and he stated to the Commission:

He is working with the owner on this and asked if there are any questions.

Gary Pinkham asked what his intentions are with the parcels once they are split up.

Barry Bunderson stated the southern parcel as shown on the plat provided would become a residence. The person who would move there has animals and wants to be out of the heart of the city. David Christensen created a parcel for his welding shop

to the north of what shows on the plat as Lot 102. He wanted the area shown as Lot 102 to be changed to Industrial in conjunction with his business. At this time, they have just plowed it up and planted alfalfa. For now he will keep it in the green belt as he doesn't have any immediate plans to do anything but farm it. But, the main purpose of the request is to create a residential parcel out of the 11 acres.

Robbie Palmer asked if this is located where the shop area is built before the turn. So there is still the turn and then a little bit of straight away before you get to the other industrial. Robbie also asked about the fire suppression.

Barry stated it is before you get to Vegas Street or Industrial Park Road.

Kent Liddiard stated he has had discussion with the future resident and he is looking at a well with a sprinkler system on the home.

Barry Bunderson stated there was previously a record of survey done on all these pieces of ground when they made the shop parcel.

Erik Stromberg moved to approve the General Plan amendment for Dave Christensen at approximately 630 North Burmester Road for 11.76 acres to go from a "Rural Residential -2" designation to 2.5 acres to go to a "Rural Residential – 1" designation and the remaining 9.26 acres to go to an "Industrial" designation. Gary Pinkham seconded the motion. The vote was unanimous in the affirmative. The motion carried.

- 3. Consideration to amend Chapters 14, 15, and 16 of the Land Use Management and Development Code by adding a Correctional Facility, Detention Center, Jail, Penitentiary, Prison, and Penal Institution to the Use Tables in each Chapter and determining its allowed use per zone.** Mayor Brent K. Marshall represented this item and he stated to the Commission:

This ordinance has been based on studies regarding locating a prison in a rural area. There are three states that are referenced New York, Texas, and California. It addresses the implications that arise by having a prison located in a rural area such as water, sewer, infrastructure, air qualities, economic impacts on the community, as well as the issues before the city if the prison is sited here. We talk about the 700 plus acre feet of water depending on how many people they bring in, about our sewer lagoons and not having enough capacity to able to take that and use it, about the plume of contaminated water that is moving from the Depot toward the northwest side of Grantsville. We also talk about the infrastructure with the roads and the issues that we as residents deal with. Accidents on I-80, SR138, or SR36 shut the valley down as this is the only real artery to travel.

The current use table in Chapter 14 of the Land Use Code doesn't really cover a prison. There are some government uses and facilities that are conditional use. We have added a correctional facility, detention center, jail, penitentiary, prison, and

penal institution having 1-249 beds and a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 250 or more beds. In the A-10, RR-5, RR-2.5, and RR-1 zones, a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 1-249 beds and a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 250 or more beds are not permitted.

In Chapter 15, we have the same government uses and facilities as Chapter 14 that are conditional use. We propose to change the use table to add a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 1-249 beds and a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 250 or more beds. This chapter covers the residential zones of R-1-8, R-1-12, R-1-21, RM-7 and RM-15. This covers all the residential zones from the 7, 000 square foot lots up to the half acre. In the proposed table, a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 1-249 beds and a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 250 or more beds would not be permitted in any of these zones.

In Chapter 16, you find some zones with permitted use or conditional use under the government uses and facilities. Again, this is broad so we propose to change the use table to add a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 1-249 beds and a correctional facility, detention center, jail, penitentiary, prison, and penal institution having 250 or more beds. The correctional facility, detention center, jail, penitentiary, prison, and penal institution having 250 or more beds, in the CN, CS, CG, CD, MD, MG, and MD-EX zones is not permitted. A correctional facility, detention center, jail, penitentiary, prison, and penal institution having 1-249 beds, with a conditional use permit, would be permitted in the MD, MG, and MD-EX zones but not permitted in the CN, CS, CG, and CD zones. These are mainly in the Industrial areas of the city.

Gary Pinkham asked why we are leaving the door open in the MD, MG, and MD-EX zones with the smaller facilities.

Attorney Linares stated to be compliant with State and Federal law.

Robbie Palmer asked if a rehab facility or something of that nature falls under a different category than a correctional facility.

Attorney Linares stated it depends completely on how it was set up. A halfway house is considered a penal institution or correctional facility. If it is a straight rehab facility then that would fall under a clinic or healthcare. The attempt is in no way to stop any type of rehab facility or a long term care facility. The attempt is to stop a large institution that we cannot provide for in infrastructure, roads, sewer, water, or the needs of the inmates in a facility of that size. The language in the ordinance is drafted in a way to show that the community cannot supply goods for a facility larger than

250 beds but potentially may be able to on a much smaller scale conditioned upon the ability to mitigate those affects on the community as all conditional uses are.

Erik Stromberg asked how they come to the numbers of 1-249 beds and 250 or more beds.

Attorney Linares stated based off our numbers of water capacity, sewer capacity, infrastructure, and number of volunteers needed versus what we could actually provide for. One of the things we have looked at is the current county jail, the number of beds it has, how the services are provided. It has the whole county and all the municipalities providing services for it and even it struggles to have the necessary levels. So just looking at other communities and what we can provide and can't provide. The old facility, before they built the new facility, was about 100 to 125 beds and that worked county wide for decades. We think 249 beds is reasonable for a town of our size but it would be pushing us to our max.

Gary Pinkham moved to approve the proposed amendments to Chapters 14, 15, and 16 by adding a Correctional Facility, Detention Center, Jail, Penitentiary, Prison, and Penal Institution to the Use Tables and the uses as proposed. Colleen Brunson seconded the motion. The voting was unanimous in the affirmative and the motion carried.

- 4. Approval of minutes of the previous business meeting in February:** Erik Stromberg moved to approve the minutes of the February meeting as written. Robbie Palmer seconded the motion. All voted in favor and the minutes stood approved.

- 5. Report from Council Liaison Member Neil Critchlow:** Councilman Critchlow stated he talked to the Council regarding the zoning of the new annexed area.

Attorney Linares stated the City has been working with the County and the auditor on the new zoning as we are trying to avoid reclassify them in a situation that will change their tax implication. The zoning of the new annexed area will be on the Commission's April agenda.

- 6. Adjourn:** Gary Pinkham moved to adjourn the meeting at 7:29 p.m. Erik Stromberg seconded the motion. All voted in favor and the meeting adjourned.

Jennifer Huffman
Zoning Administrator